

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMES BENJAMIN, et al.,

Plaintiffs,

-against-

CYNTHIA BRANN, et al.,

Defendants.  
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**ORDER RE: TEMPORARY  
SUSPENSION OF DOHMH  
ENVIRONMENTAL  
INSPECTIONS.**

75 Civ. 3073 (LAP)

**WHEREAS**, pursuant to an order of District Judge Harold Baer, Jr., *Order on: Environmental Conditions* (dated April 26, 2001) (hereinafter, the “Environmental Order”), the Defendant New York City Department of Correction (“DOC”) undertakes various measures, including weekly and monthly inspections, to ensure that its detention facilities are maintained in a clean and sanitary manner;

**WHEREAS**, paragraph “6” of the Environmental Order requires the New York City Department of Health and Mental Hygiene (“DOHMH”) to also conduct its own monthly inspections at DOC facilities;

**WHEREAS**, there presently exist municipal, state and federal States of Emergency relating to the coronavirus outbreak in the United States;

**WHEREAS**, DOHMH wishes to dispatch its inspection workforce to other areas of the City to deal with the coronavirus outbreak, and temporarily suspend its inspections in the City jails;

**WHEREAS**, the more frequent inspections in the City jails will continue to be conducted under the auspices of the DOC inspection workforce as set out in paragraph “4” of the Environmental Order;

**IT IS HERBY ORDERED:**

1. Paragraph “6” of the April 26, 2001 Order on Environmental Conditions is suspended during the current public health crisis;
2. DOC shall continue to conduct its own mandated inspections of the City jails;
3. Defendants’ counsel shall notify Plaintiffs’ counsel and the Office of Compliance Consultants when the DOHMH inspections can be resumed.

**SO ORDERED:**

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U.S.D.J.

Dated: New York, New York  
March 24, 2020